

10/074,893

REMARKS

Applicants wish to thank the Examiner for the attention accorded to the instant application. In light of the present amendment, it is respectfully requested that the rejections based on 35 USC §102(b) be withdrawn with respect to claims 1-4 and 7.

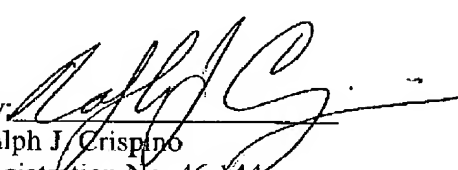
With respect to the Examiner's rejections of claims 1-4 and 7 based on 35 U.S.C. §102(b), it is respectfully submitted that Tsuchida et al. U.S. Patent No. 3,881,959 does not anticipate claim 1 as originally presented. The battery presented therein is a tube, thus it is not possible for the anode to be provided in two parts and for the cathode to have a pair of oxidant sides and anode sides.

Claims 8-12 have been added to include the subject matter indicated as allowable in the office action of November 26, 2003.

Regarding the priority claim, the correct priority date for 60/295, 634 and 60/295,635 should June 4, 2001. A new declaration will be forthcoming.

The amendments herein do not introduce any new matter. It is believed that the claims herein should be allowable to Applicants. Accordingly, allowance is respectfully requested.

Respectfully submitted,

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